

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

FREDRIC ELLIOTT, Individually, and On Behalf  
of All Others Similarly Situated, )  
Plaintiff, )  
vs. ) Case No. 3:10-CV-00648-LRH-RAM  
CHINA GREEN AGRICULTURE, INC., TAO LI, ) CLASS ACTION  
YING YANG, and KEN REN, )  
Defendants. ) **ORDER GRANTING THE MOTION**  
 ) **OF THE CHINA GREEN**  
 ) **INVESTOR GROUP FOR**  
 ) **APPOINTMENT AS LEAD**  
 ) **PLAINTIFF AND APPROVAL OF**  
 ) **ITS SELECTION OF LEAD AND**  
 ) **LIAISON COUNSEL**

Having considered the papers filed in support of the Motion of class members Thomas Johnston, Giuliano Lazzeretti, Thuan Ly, Christina Galbraith, and Charles White (collectively, “Movant” or the “China Green Investor Group”) for Appointment of Lead Plaintiff, and Approval of Its Selection of Lead Counsel and Liaison Counsel pursuant to §21D(a)(3)(B) of the Securities Exchange Act of 1934 as amended by the Private Securities Litigation Reform Act, 15 U.S.C. §78u-4(a)(3)(B) (“PSLRA”), and for good cause shown, the Court hereby enters the following Order:

## **I. APPOINTMENT OF LEAD PLAINTIFF, LEAD COUNSEL AND LIAISON COUNSEL**

1. Movant has moved this Court to be appointed as Lead Plaintiff in the action and to approve the counsel it retained to be Lead Counsel and Liaison Counsel.

2. Having considered the provisions of § 21D(a)(3)(B) of the PSLRA, 15 U.S.C. §78u-4(a)(3)(B), the Court hereby determines that Movant is the most adequate plaintiff and satisfies the requirements of the PSLRA. The Court hereby appoints Movant as Lead Plaintiff to represent the interests of the class in the above-captioned action.

1       3. Pursuant to §21D(a)(3)(B)(v) of the PSLRA, 15 U.S.C. § 78u-4(a)(3)(B)(v),  
2 Movant has selected and retained the law firm of Saxena White P.A. (“Saxena White”) as Lead  
3 Counsel, and the law firm of Bowen Hall Ohlson & Osborne (“Bowen”) to serve as Liaison  
4 Counsel. The Court approves Movant’s selection of Lead Counsel and Liaison Counsel for the  
5 above-captioned action.  
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7       4. Lead Counsel shall have the following responsibilities and duties, to be carried  
8 out either personally or through counsel whom Lead Counsel shall designate:

- 9       a. to coordinate the briefing and argument of any and all motions;
- 10      b. to coordinate the conduct of any and all discovery proceedings;
- 11      c. to coordinate the examination of any and all witnesses in depositions;
- 12      d. to coordinate the selection of counsel to act as spokesperson at all pretrial  
13            conferences;
- 14      e. to call meetings of the plaintiffs’ counsel as they deem necessary and  
15            appropriate from time to time;
- 16      f. to coordinate all settlement negotiations with counsel for defendants;
- 17      g. to coordinate and direct the pretrial discovery proceedings and the  
18            preparation for trial and the trial of this matter and to delegate work  
19            responsibilities to selected counsel as may be required;
- 20      h. to coordinate the preparation and filings of all pleadings; and
- 21      i. to supervise all other matters concerning the prosecution or resolution of  
22            the Consolidated Actions.

23       5. No motion, discovery request, or other pretrial proceedings shall be initiated or  
24       filed by any plaintiffs without the approval of Lead Counsel, so as to prevent duplicative  
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1 pleadings or discovery by plaintiffs. No settlement negotiations shall be conducted without the  
2 approval of the Lead Counsel.

3       6. Service upon any plaintiff of all pleadings in this action, except those specifically  
4 addressed to a plaintiff other than Lead Plaintiffs, shall be complete upon service of Lead  
5 Counsel.

6       7. Lead Counsel shall be the contact between plaintiffs' counsel and defendants'  
7 counsel, as well as the spokespersons for all plaintiffs' counsel, shall direct and coordinate the  
8 activities of plaintiffs' counsel, and shall assign and supervise any work that Lead Counsel  
9 deems appropriate for all plaintiffs' counsel. Lead Counsel shall be the contact between the  
10 Court and plaintiffs and their counsel.

11      **II. NEWLY-FILED OR TRANSFERRED ORDERS**

12       8. When a case that arises out of the subject matter of this action is hereinafter filed  
13 in this Court or transferred from another Court, the Clerk of this Court shall:

14           a. file a copy of this Order in the separate file for such action;  
15           b. mail a copy of this Order to the attorneys for the plaintiff(s) in the newly  
16            filed or transferred case and to any new defendant(s) in the newly filed or  
17            transferred case; and  
18           c. make the appropriate entry in the docket for this action.

19       9. Each new case which arises out of the subject matter of the above-captioned  
20 action that is filed in this Court or transferred to this Court shall be consolidated with this action  
21 and this Order shall apply thereto, unless a party objecting to this Order or any provision of this  
22 Order shall, within ten (10) days after the date upon which a copy of this Order is served on  
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counsel for such party, file an application for relief from this Order or any provision herein and this Court deems it appropriate to grant such application.

10. During the pendency of this litigation, or until further order of this Court, the parties shall take reasonable steps to preserve all documents within their possession, custody or control, including computer-generated and stored information and materials such as computerized data and electronic mail, containing information that is relevant to or which may lead to the discovery of information relevant to the subject matter of the pending litigation.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

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THE HONORABLE LARRY R. HICKS  
UNITED STATES DISTRICT COURT JUDGE